

JUN 15 1993

BEFORE THE

Federal Communications CommissionFEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20554

ORIGINAL

In the Matter of)
)
 Allocation of the)
 219-220 MHz Band for Use)
 by the Amateur Radio Service)

ET Docket No. 93-40
 RM-7747

COMMENTS OF WATERWAY COMMUNICATIONS SYSTEM, INC.

Waterway Communications System, Inc. (hereinafter "WATERCOM"), by its attorney, respectfully submits its Comments responsive to the invitation by the Commission to comment on the proposal to allocate the 219-220 MHz band to the Amateur Service on a secondary basis.^{1/}

I. Statement of Interest.

WATERCOM is the operator of the Automated Maritime Telecommunications System (AMTS) which provides telecommunications system to the maritime industry throughout the Mississippi River and its connecting waterways, including the Gulf Intracoastal Waterway, operating frequencies at 217-219 and 218-220 MHz. The 216-220 MHz band was allocated to the Maritime Radio Service in Region 2 at the 1979 World Administrative Radio Conference on the proposal of the United States for the purpose of providing a home for telephone-style telecommunications

^{1/} 8 FCC Rcd 2352 (1993).

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services for the maritime user community. With an embedded network covering approximately 4,000 miles of commercially navigable waterways, which comprise the heart of the domestic inland waterborne transportation network, WATERCOM has a material interest in the allocation and use of the 216-220 MHz frequency band.

II. Comments.

WATERCOM concurs with the premise underlying this proceeding that unlike services can share spectrum allocations provided that (i) the priority status of the primary service is recognized, and (ii) appropriate technical standards are imposed with regard to power limitations, antenna heights and geographic separations between primary and secondary stations. Moreover, particularly where the primary service is a safety or common carrier service, as in the instant situation, an effective frequency coordination scheme will serve to minimize the potential for interference and disruption of operations.^{2/}

In the instant rulemaking, the Commission has responded to the Petition of the American Radio Relay League (ARRL) seeking a secondary allocation at 216-220 MHz by proposing a secondary amateur allocation at 219-220 MHz. Accordingly,

^{2/} See Comments of Waterway Communications System, Inc., RM-7747, October 23, 1991.

the contemplated amateur use of the band will be confined to 25% of the spectrum originally sought by ARRL. While WATERCOM adheres to the tenet that the Amateur Service successfully can share spectrum with the AMTS, the concentration of amateur operations in a 1 MHz bandwidth of spectrum, which is utilized within the AMTS for vessel station operations which are weaker in signal strength than coast station operations, reinforces the need for appropriate limitations and conditions upon amateur use of the 219-220 MHz frequency band.

The Commission has proposed to limit amateur operations to the following conditions of use:

- (i) Point-to-point fixed operations;
- (ii) Digital data communications;
- (iii) 50 watts PEP output power maximum, except that Novice Class amateurs would be limited to 25 watts PEP;
- (iv) A ban on amateur operations within 80 km (50 miles) of an AMTS station without prior coordination with and consent from the AMTS licensee, and notification of all amateur

operations to the AMTS licensee within 240 km
(150 miles) of an AMTS station, and

- (v) Secondary status for amateur stations and the
resulting requirement to resolve any
interference or cease operations.

With the exception of the 250 km/150 mile notification zone, WATERCOM concurs with all of the foregoing conditions of use. In particular, WATERCOM observes that limitation of use of these frequencies to digital data communication is consistent with the requirements stated in the underlying ARRL Petition for Rulemaking. Moreover, digital data communications should serve to minimize the potential for harmful interference to co-channel operations.

WATERCOM has met with representatives of the ARRL and,

- (ii) Provide notification to AMTS operators no less than thirty (30) days prior to contemplated initiation of operations and, again, seven (7) days prior to actual institution of operations; and
- (iii) In addition to notifying the AMTS operator, the amateur also must notify the ARRL.

The AMTS being a maritime service, it necessarily operates in the vicinity of rivers, lakes, and large bodies of water adjoining the coastlines of the United States. Water can and does substantially affect radio signal propagation. While 150 miles may be an appropriate coordination figure for reliable service contours, the predictable, unreliable water-impacted path lengths carry much further. Accordingly, to assure a complete database, a 400-mile notification zone is requested.^{3/}

The 14-day period for notification prior to initiation of amateur operations is too short to allow any appropriate

^{3/} The Commission has invited comment on the 50-mile zone wherein amateur operations would be barred in the absence of consent from the AMTS operator. WATERCOM concurs in this procedure. Indeed, the 50-mile limit is generous to the amateurs vis-à-vis former Sections 80.215(h)(5) and 80.385(a)(2) (1990), which barred AMTS operations within 105 miles of a TV Channel 13 station, notwithstanding that AMTS is adjacent, and not co-channel, to TV Channel 13.

analysis which the AMTS operator may undertake and response to the amateur contemplating operation. Thus, WATERCOM suggests a 30-day prior notification period. The follow-up 7-day notification is intended simply as a check to verify the contemplated operating parameters.

The Commission has declined the suggestion that the ARRL be designated to coordinate the 219-220 MHz band for amateur use.^{4/} The Commission nonetheless recommends that the amateurs coordinate within this band on a voluntary basis.^{5/} WATERCOM endorses this suggestion. Moreover, it is recommended that the Commission require notification to the ARRL.^{6/} While the Commission may consider that it does not have statutory authority to require mandatory coordination in the amateur service, the Commission certainly can require notification to the ARRL in order to facilitate the compilation of a database. Additionally, consistent with the discussion in the text of voluntary coordination, through maintenance of a database the ARRL would be in a position to notify amateurs if they foresee a potential interference problem and suggest means of avoidance.

^{4/} Notice at ¶ 24.

^{5/} Notice at ¶ 27.

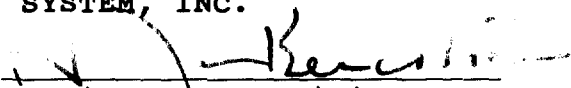
^{6/} WATERCOM also supports notification to the AMTS operator. Accord, 47 C.F.R. § 80.475(a)(2).

WATERCOM respectfully submits that the foregoing modifications to the Commission's proposal will enhance utilization of the 219-220 MHz band by all concerned parties.

WHEREFORE, THE PREMISES CONSIDERED, Waterway Communications System, Inc., respectfully urges the Federal Communications Commission to **MODIFY** the proposed rules for amateur use of the 219-220 MHz band in accordance with the foregoing recommendations in the adoption of final Rules as contemplated in this proceeding.

Respectfully submitted,

**WATERWAY COMMUNICATIONS
SYSTEM, INC.**



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